

### **REMARKS**

Claims 1, 2, 5-22 and 28-35 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-2, 5-22, 28-35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Murphy (U.S. Pat. No. 7,037,310).

The Murphy reference has a Section 102(e) effective date of October 21, 2003. As set forth in the attached declaration of Aaron Smith, Applicant's invention was conceived and reduced to practice prior to the October 21, 2003 effective date of the Murphy reference. Therefore, the Murphy reference is not prior art. Applicant respectfully requests reconsideration and withdrawal of this Section 102 rejection.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the

Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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